

ESTTA Tracking number: **ESTTA157847**

Filing date: **08/20/2007**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

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|---------------------------|---|
| Proceeding | 92046796 |
| Party | Defendant eSpeedient Systems, LLC |
| Correspondence Address | MELISSA S. DILLENBECK DRINKER BIDDLE GARDNER CARTON 191 N. WACKER DRIVE, SUITE 3700 CHICAGO, IL 60606-1459 UNITED STATES richard.young@dbr.com |
| Submission | Other Motions/Papers |
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| Signature | /Richard W. Young/ |
| Date | 08/20/2007 |
| Attachments | ESS001USAp1.tif (1 page)(36508 bytes) ESS001USAp2.tif (1 page)(20794 bytes) ESS001USAp3.tif (1 page)(11224 bytes) |

The allegations of Petitioner in its original Petition to Cancel were baseless and its present motion to amend seeks to add similarly baseless allegations. Petitioner's assertion of a growing list of baseless claims appears designed not to reach a determination on the merits, but

to delay the proceeding in an attempt to avoid a determination on the merits. The present motion is another attempt at such a delay.

eSpeedient Systems denies the allegations contained in Petitioner's Brief and its Amended Petition to Cancel, and will vigorously defend itself against those allegations. eSpeedient Systems wishes for a prompt and timely resolution to this proceeding, without any further unwarranted and unnecessary delays.

Dated: August 20, 2007

Respectfully submitted,


ESPEEDIENT SYSTEMS, LLC

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CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing ESPEEDIENT SYSTEMS' RESPONSE TO PETITIONER'S MOTION FOR LEAVE TO AMEND PETITION TO CANCEL was served on Petitioner this 20th day of August, 2007, by overnight courier, addressed to:

Georges Nahitchevansky
Kilpatrick Stockton LLP
31 W. 52nd Street
New York, NY 10019


